

Pro Se 15 2016

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8

9 Shaun Williams
10 _____
11 _____,
12 Plaintiff(s),
13 v.
14 Robert Ferguson
15 _____
16 Kevin Hull
17 _____
18 Matthew Clucas
19 _____,
20 Defendant(s).
21

CASE NO. 3:21-cv-05910-BHS
[to be filled in by Clerk's Office]

COMPLAINT FOR VIOLATION
OF CIVIL RIGHTS
(for use only by plaintiffs not in
custody)

Jury Trial: Yes No

16 I. THE PARTIES TO THIS COMPLAINT
17
18 A. Plaintiff(s)
19

20 *Provide the information below for each plaintiff named in the complaint. Attach
21 additional pages if needed.*

22 Name Shaun Williams
23 Street Address PO Box 2233
24 City and County Port Orchard, Kitsap
State and Zip Code Wa 98366
Telephone Number (360) 434-8339

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1 B. Defendant(s)

2 *Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.*

4 Defendant No. 1

5 Name	Robert Ferguson
6 Job or Title (if known)	Washington State Attorney General
7 Street Address	1125 Washington St SE
8 City and County	Olympia, Thurston
9 State and Zip Code	98504
10 Telephone Number	(360) 664-9083
	<input type="checkbox"/> Individual capacity
	<input checked="" type="checkbox"/> Official capacity

11 Defendant No. 2

12 Name	Kevin Hull
13 Job or Title (if known)	Kitsap County Superior Court Department 6
14 Street Address	14 Division St
15 City and County	Port Orchard, Kitsap
16 State and Zip Code	Wa 98366
17 Telephone Number	(360) 337-5704
	<input checked="" type="checkbox"/> Individual capacity
	<input checked="" type="checkbox"/> Official capacity

18 Defendant No. 3

19 Name	Matthew Clucas
20 Job or Title (if known)	Kitsap County Superior Court Commissioner
21 Street Address	14 Division St MS 24
22 City and County	Port Orchard, Kitsap
23 State and Zip Code	Wa 98366
24 Telephone Number	(360) 337-7140
	<input checked="" type="checkbox"/> Individual capacity
	<input checked="" type="checkbox"/> Official capacity

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1 Defendant No. 4

2 Name _____

3 Job or Title (*if known*) _____

4 Street Address _____

5 City and County _____

6 State and Zip Code _____

7 Telephone Number _____

8 Individual capacity

9 Official capacity

II. PREVIOUS LAWSUITS

10 Have you brought any other lawsuits in any federal court in the United States:?

11 No

Yes

12 If yes, how many? _____

13 Describe the lawsuit:

14 _____

15 _____

16 _____

17 _____

18 Parties to this previous lawsuit:

19 _____

20 _____

21 _____

22 Plaintiff(s)

23 _____

24 _____

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1 _____
2 _____
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7 _____

Defendant(s)

8 (If there is more than one previous lawsuit, describe the additional lawsuits on another
piece of paper using the same outline. Attach additional sheets, if necessary)

9 Court and name of district:
10 _____

11 Docket Number: _____
12 Assigned Judge: _____

13 Disposition: (For example, was the case dismissed as frivolous or for failure to state a
14 claim? Was it appealed? Is it still pending?)
15 _____
16 _____
17 _____

18 Approximate filing date of lawsuit: _____
19 Approximate date of disposition: _____
20

21 III. BASIS FOR JURISDICTION

22 Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any
23 rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens*
24

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1 v. *Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may
2 sue federal officials for the violation of certain constitutional rights.

3 A. Are you bringing suit against (*check all that apply*):

4 Federal officials (a *Bivens* claim)

5 State or local officials (a § 1983 claim)

6 B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or
7 immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are
8 suing under section 1983, what federal constitutional or statutory right(s) do you claim
9 is/are being violated by state or local officials?

10 Deprived of property and liberty without due process due to court order issued contrary to federal law

11 and supreme court precedent. Violation of the 14th Amendment.

12 _____
13 _____
14 C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional
15 rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are
16 being violated by federal officials?

17 _____
18 _____
19 _____
20 _____

21 D. Section 1983 allows defendants to be found liable only when they have acted "under
22 color of any statute, ordinance, regulation, custom, or usage, of any State or Territory
23 or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983,
24 explain how each defendant acted under color of state or local law. If you are suing

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1 under *Bivens*, explain how each defendant acted under color of federal law. Attach
2 additional pages if needed.

3 Mr. Clucas acted in his capacity as Kitsap County Family Court Commissioner to issue an order
4 that was contrary to federal law and Supreme Court precedent. He then denied a motion to vacate citing
5 applicable federal law. Mr. Hull is Mr. Clucas' superior and also denied the motion to vacate when
6 brought before him. Mr. Ferguson is the head of the state judicial system and in charge of both men.

7 IV. STATEMENT OF CLAIM

8 *State as briefly as possible the facts of your case. Describe how each defendant was personally
involved in the alleged wrongful action, along with the dates and locations of all relevant events.
You may wish to include further details such as the names of other persons involved in the events
giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted,
number each claim and write a short and plain statement of each claim in a separate paragraph.
Attach additional pages if needed.*

9
10
11 Mr. Clucas issued an order contrary to federal law and Supreme Court precedent. He then held me in contempt of
12
13 that order. He further denied a motion to vacate as void due to federal law superseding his order. Mr. Hull also denied
14
15 that motion when brought before him. Mr. Ferguson failed to provide clear direction to his judges in regards to VA disability claims.

16 A. Where did the events giving rise to your claim(s) occur?

17
18 Kitsap County Superior Court

19 B. What date and approximate time did the events giving rise to your claim(s) occur?

20 August 6, 2019; February 29, 2020; January 6, 2021

21 C. What are the facts underlying your claim(s)? (For example: *What happened to you?*

22 *Who did what? Was anyone else involved? Who else saw what happened?*)

23 An order indemnifying my former spouse for loss of income from my military retirement due to the award of

24 Veteran's Administration Disability was issued by Mr. Clucas. He further held me in contempt during the pandemic when

I was unemployed and the disability was my only income. Mr. Clucas has denied any motion to vacate as void and threatens

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1 me with jail if I do not pay. This has resulted in my homelessness and destitution. Mr. Clucas is not authorized to act as an attorney by the VA.

2 **V. INJURIES**

3 *If you sustained injuries related to the events alleged above, describe your injuries and state*
what medical treatment, if any, you required and did or did not receive.

4

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9 **VI. RELIEF**

10 *State briefly what you want the court to do for you. Make no legal arguments. Do not cite any*
cases or statutes. *If requesting money damages, include the amounts of any actual damages*
and/or punitive damages claimed for the acts alleged. *Explain the basis for these claims.*

11 I ask that the court vacate the Maintenance and Contempt orders issued by Mr. Clucas.

12 I further ask that Mr. Clucas be ordered to repay me the \$14,110.97 as of today that

13 I overpaid my former spouse as a result of his order. I further ask that the court fine Mr. Clucas,

14 Mr. Hull and Mr Ferguson as federal law allows for such actions. I further ask for as much punitive damages as this court finds fair.

15 **VII. CERTIFICATION AND CLOSING**

16 Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my
17 knowledge, information, and belief that this complaint: (1) is not being presented for an improper
18 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
19 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or
20 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
21 identified, will likely have evidentiary support after a reasonable opportunity for further
22 investigation or discovery; and (4) the complaint otherwise complies with the requirements of
23 Rule 11.

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I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing

13DEC21

Signature of Plaintiff

Shaun Williams

Printed Name of Plaintiff

Shaun Williams

Date of signing:

Page 10 of 10

Signature of Plaintiff

Printed Name of Plaintiff

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS - 8